

Jeff G. Hammel
Direct Dial: 212.906.1260
jeff.hammel@lw.com

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/21/2024

LATHAM & WATKINS LLP

June 20, 2024

VIA ECF AND EMAIL

The Honorable Analisa Torres
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Lucid Alt. Fund, LP, et al., v. Innoviz Techs. Ltd., et al.*, 1:24-cv-01971-AT

Dear Judge Torres:

We represent Defendants Innoviz Technologies Ltd., Omer David Keilaf, and Eldar Cegla in this securities litigation and write jointly with Co-Lead Plaintiffs Jakob Raz, Harvey Tesler, and Joel Leon in response to the Court's June 13, 2024 Order directing the parties to submit a Proposed Case Management Plan and joint letter by July 8, 2024. *See* ECF No. 32.

As the Court is aware, because this is a securities case, the Private Securities Litigation Reform Act ("PSLRA") automatically stays discovery through the resolution of a motion to dismiss. *See* 15 U.S.C. § 78u-4(b)(3)(B). Accordingly, on May 1, 2024, the parties jointly submitted a Stipulation and [Proposed] Order that adjourned the deadline for Defendants to respond to the initial complaint and deferred setting a schedule until following the lead plaintiff appointment process. *See* ECF No. 15. The Court approved that Stipulation on May 2, 2024. ECF No. 17. That Stipulation directed the parties to confer on a schedule for filing an amended complaint and responses thereto and to file a proposed schedule with the Court. *Id.* The lead plaintiff appointment process is now complete, the parties have conferred, and we submit with this letter, for the Court's consideration, a joint Stipulation and [Proposed] Order with a schedule for filing an amended complaint and responses thereto.

With respect to the Proposed Case Management Plan, because Plaintiffs will file an amended complaint, and because the PSLRA imposes an automatic stay of discovery, the parties submit that it is premature at this time to address the factual and legal bases of the claims and defenses in this action, to negotiate a discovery schedule, or to discuss a potential settlement. Indeed, the parties believe the interests of judicial economy would be best served by addressing such issues after the amended complaint has been filed, any resulting motions to dismiss have been ruled upon by the Court, and if the PSLRA's automatic discovery stay is lifted.

To that end, and pursuant to Rule I.B. of Your Honor's Individual Practices, the Parties respectfully request that the July 8, 2024 deadline for the submission of the joint letter and case management plan be adjourned.

LATHAM & WATKINS^{LLP}

Respectfully submitted,

/s/ Jeff G. Hammel

Jeff G. Hammel
of LATHAM & WATKINS LLP

Counsel for Defendants

/s/ Adam M. Apton*

Adam M. Apton
of LEVI & KORSINSKY, LLP

/s/ Brenda Szydlo*

Brenda Szydlo
of POMERANTZ LLP

Counsel for Co-Lead Plaintiffs

cc: All counsel of record (via ECF and email)

GRANTED. The parties' deadline to submit a joint status letter and case management plan is adjourned *sine die* pending the resolution of the anticipated motion to dismiss.

SO ORDERED.

Dated: June 21, 2024
New York, New York



ANALISA TORRES
United States District Judge